

A

NOTICE OF HEARING IN REMOVAL PROCEEDINGS
IMMIGRATION COURT
JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203

RE: ROQUEL-VEGA, KARLA
FILE: A208-294-279

DATE: Dec 23, 2015

TO:

ROQUEL-VEGA, KARLA
112 PROSPECT ST.
WALTHAM, MA 02453

Please take notice that the above captioned case has been scheduled for a MASTER hearing before the Immigration Court on Jan 26, 2016 at 1:00 P.M. at:

JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203

You may be represented in these proceedings, at no expense to the Government, by an attorney or other individual who is authorized and qualified to represent persons before an Immigration Court. Your hearing date has not been scheduled earlier than 10 days from the date of service of the Notice to Appear in order to permit you the opportunity to obtain an attorney or representative. If you wish to be represented, your attorney or representative must appear with you at the hearing prepared to proceed. You can request an earlier hearing in writing.

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IF YOUR ADDRESS IS NOT LISTED ON THE NOTICE TO APPEAR, OR IF IT IS NOT CORRECT, WITHIN FIVE DAYS OF THIS NOTICE YOU MUST PROVIDE TO THE IMMIGRATION COURT BOSTON, MA THE ATTACHED FORM EOIR-33 WITH YOUR ADDRESS AND/OR TELEPHONE NUMBER AT WHICH YOU CAN BE CONTACTED REGARDING THESE PROCEEDINGS. EVERYTIME YOU CHANGE YOUR ADDRESS AND/OR TELEPHONE NUMBER, YOU MUST INFORM THE COURT OF YOUR NEW ADDRESS AND/OR TELEPHONE NUMBER WITHIN 5 DAYS OF THE CHANGE ON THE ATTACHED FORM EOIR-33. ADDITIONAL FORMS EOIR-33 CAN BE OBTAINED FROM THE COURT WHERE YOU ARE SCHEDULED TO APPEAR. IN THE EVENT YOU ARE UNABLE TO OBTAIN A FORM EOIR-33, YOU MAY PROVIDE THE COURT IN WRITING WITH YOUR NEW ADDRESS AND/OR TELEPHONE NUMBER BUT YOU MUST CLEARLY MARK THE ENVELOPE "CHANGE OF ADDRESS." CORRESPONDENCE FROM THE COURT, INCLUDING HEARING NOTICES, WILL BE SENT TO THE MOST RECENT ADDRESS YOU HAVE PROVIDED, AND WILL BE CONSIDERED SUFFICIENT NOTICE TO YOU AND THESE PROCEEDINGS CAN GO FORWARD IN YOUR ABSENCE.

A list of free legal service providers has been given to you. For information regarding the status of your case, call toll free 1-800-898-7180 or 240-314-1500. For information on Immigration Court procedures, please consult the Immigration Court Practice Manual, available at www.usdoj.gov/eoir.

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL ☒ (M) PERSONAL SERVICE (P)
TO: M ALIEN [] ALIEN c/o Custodial Officer [] ALIEN's ATT/REP M DHS
DATE: 12/23/15 BY: COURT STAFF V3
Attachments: ☒ EOIR-33 [] EOIR-28 ☒ Legal Services List [] Other

NOTICE OF HEARING IN REMOVAL PROCEEDINGS
IMMIGRATION COURT
JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203

RE: ROQUEL-VEGA, DIEGO
FILE: A208-294-280

DATE: Dec 23, 2015

TO:

ROQUEL-VEGA, DIEGO
112 PROSPECT ST.
WALTHAM, MA 02453

Please take notice that the above captioned case has been scheduled for a MASTER hearing before the Immigration Court on Jan 26, 2016 at 1:00 P.M. at:

JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203

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TO: M ALIEN [] ALIEN c/o Custodial Officer [] ALIEN's ATT/REP M DHS
DATE: 12/23/15 BY: COURT STAFF V3
Attachments: 3 EOIR-33 [] EOIR-28 [] Legal Services List [] Other

B

NOTICE OF HEARING IN REMOVAL PROCEEDINGS
UNITED STATES IMMIGRATION COURT
JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203

DATE: January 26, 2016

Lead Respondent Name: **VEGA-DEL ROQUEL, MARLENY SANTOS**
 Lead file A#: **208-294-278**

Riders (if any):

Attorney/Representative (if any):

FINGERPRINTS REQUIRED	
<input type="checkbox"/> Asylum	
<input type="checkbox"/> Other	
REPORT TO DHS (ROOM E-160)	

Please take notice that the above captioned case has been scheduled for a **MASTER/INDIVIDUAL** hearing before the Immigration Court on 5/25/2016 at 8:30 AM at JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203

You may be represented in these proceedings, at no expense to the Government, by an attorney or other individual who is authorized and qualified to represent persons before an Immigration Court. Your hearing date has not been scheduled earlier than 10 days from the date of service of the Notice to Appear in order to permit you the opportunity to obtain an attorney or representative. If you wish to be represented, your attorney or representative must appear with you at the hearing prepared to proceed. You can request an earlier hearing in writing.

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(2) Your hearing may be held in your absence under section 240(b)(5) of the Immigration and Nationality Act. An order of removal will be entered against you if the Department of Homeland Security established by clear, unequivocal and convincing evidence that a) you or your attorney has been provided this notice and b) you are removable.

Failure to appear for this hearing other than because of exceptional circumstances** beyond your control will result in your being found ineligible for certain forms of relief under the Immigration and Nationality Act for a period of ten (10) years after the date of entry of the final order of removal.

IF YOUR ADDRESS IS NOT LISTED ON THE NOTICE TO APPEAR, OR IF IT IS NOT CORRECT, WITHIN FIVE DAYS OF THIS NOTICE YOU MUST PROVIDE TO THE IMMIGRATION COURT BOSTON, MA, THE ATTACHED FORM EOIR-33 WITH YOUR ADDRESS AND TELEPHONE NUMBER AT WHICH YOU CAN BE CONTACTED REGARDING THESE PROCEEDINGS. EVERYTIME YOU CHANGE YOUR ADDRESS OR TELEPHONE NUMBER, YOU MUST INFORM THE COURT OF YOUR NEW ADDRESS AND TELEPHONE NUMBER WITHIN 5 DAYS OF THE CHANGE ON THE ATTACHED FORM EOIR-33. ADDITIONAL FORMS EOIR-33 CAN BE OBTAINED FROM THE COURT WHERE YOU ARE SCHEDULED TO APPEAR. IN THE EVENT YOU ARE UNABLE TO OBTAIN A FORM EOIR-33, YOU MAY PROVIDE THE COURT IN WRITING WITH YOUR NEW ADDRESS AND TELEPHONE NUMBER, BUT YOU MUST CLEARLY MARK THE ENVELOPE "**CHANGE OF ADDRESS.**"

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** The term "**exceptional circumstances**" refers to circumstances such as serious illness of the alien or death of an immediate relative of the alien, but not including less compelling circumstances.

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: ☒ MAIL (M) ☒ PERSONAL SERVICE (P)
 TO: [] ALIEN [] ALIEN c/o Custodial Officer [] ALIEN's ATT/REP [] DHS
 DATE: **Jan 26, 2016** BY: [] COURT STAFF [] JUDGE
 Attachments: [] EOIR-33 [] EOIR-28 [] Legal Services List [] Other

C

NOTICE OF HEARING IN REMOVAL PROCEEDINGS
UNITED STATES IMMIGRATION COURT
JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203

DATE: May 25, 2016

Lead Respondent Name: **VEGA-DEL ROQUEL, MARLENY SANTOS**
 Lead file A#: **208-294-278**

Riders (if any): **208-294-279 ROQUEL-VEGA, KARLA**
208-294-280 ROQUEL-VEGA, DIEGO

FINGERPRINTS REQUIRED	
<input type="checkbox"/> Asylum	
<input type="checkbox"/> Other	
REPORT TO DHS (ROOM E-160)	

Attorney/Representative (if any): **LAGANA, STEPHEN A (OP)**

Please take notice that the above captioned case has been scheduled for a **MASTER/INDIVIDUAL** hearing before the Immigration Court on Nov. 23, 2016 at 8:30 at:
 JFK FEDERAL BLDG., ROOM 320
 BOSTON, MA 02203

You may be represented in these proceedings, at no expense to the Government, by an attorney or other individual who is authorized and qualified to represent persons before an Immigration Court. Your hearing date has not been scheduled earlier than 10 days from the date of service of the Notice to Appear in order to permit you the opportunity to obtain an attorney or representative. If you wish to be represented, your attorney or representative must appear with you at the hearing prepared to proceed. You can request an earlier hearing in writing.

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CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: ☒ MAIL (M) ☐ PERSONAL SERVICE (P)
 TO: [] ALIEN [] ALIEN c/o Custodial Officer [] ALIEN's ATT/REP [] DHS
 DATE: **May 25, 2016** BY: [] COURT STAFF [] JUDGE
 Attachments: [] EOIR-33 [] EOIR-28 [] Legal Services List [] Other

judge wants supplemental index / paginated

D

NOTICE OF HEARING IN REMOVAL PROCEEDINGS
UNITED STATES IMMIGRATION COURT
JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203

DATE: November 23, 2016

Lead Respondent Name: **VEGA-DEL ROQUEL, MARLENY SANTOS**

Lead file A#: @ 208-294-278

Riders (if any): @ 208-294-279 ROQUEL-VEGA, KARLA
@ 208-294-280 ROQUEL-VEGA, DIEGO

FINGERPRINTS REQUIRED
☒ Asylum
☐ Other
REPORT TO DHS (ROOM E-160)

Attorney/Representative (if any): **LAGANA, STEPHEN A**

Please take notice that the above captioned case has been scheduled for a **MASTER/INDIVIDUAL** hearing
before the Immigration Court on March 15th 2018 at 8:30am at:
JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203

You may be represented in these proceedings, at no expense to the Government, by an attorney or other individual who is authorized and qualified to represent persons before an Immigration Court. Your hearing date has not been scheduled earlier than 10 days from the date of service of the Notice to Appear in order to permit you the opportunity to obtain an attorney or representative. If you wish to be represented, your attorney or representative must appear with you at the hearing prepared to proceed. You can request an earlier hearing in writing.

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CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL (M) PERSONAL SERVICE (P)
TO: [] ALIEN [] ALIEN c/o Custodial Officer [] ALIEN's ATT/REP [P] DHS
DATE: Nov 23, 2016 BY: [X] COURT STAFF JY [] JUDGE ROBIN E. FEDER
Attachments: [] EOIR-33 [] EOIR-28 [] Legal Services List [] Other

V3

30-day call-up

E

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203

Law Office of Stephen A. Lagana
LAGANA, STEPHEN A
145 Essex St.
Lawrence, MA 01840

In the matter of File A 208-294-278 DATE: Mar 19, 2018
VEGA-DEL ROQUEL, SANTOS MARLENY

Unable to forward - No address provided.

☒ Attached is a copy of the decision of the Immigration Judge. This decision is final unless an appeal is filed with the Board of Immigration Appeals within 30 calendar days of the date of the mailing of this written decision. See the enclosed forms and instructions for properly preparing your appeal. Your notice of appeal, attached documents, and fee or fee waiver request must be mailed to:
Board of Immigration Appeals
Office of the Clerk
5107 Leesburg Pike, Suite 2000
Falls Church, VA 22041

— Attached is a copy of the decision of the immigration judge as the result of your Failure to Appear at your scheduled deportation or removal hearing. This decision is final unless a Motion to Reopen is filed in accordance with Section 242b(c)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1252b(c)(3) in deportation proceedings or section 240(b)(5)(C), 8 U.S.C. § 1229a(b)(5)(C) in removal proceedings. If you file a motion to reopen, your motion must be filed with this court:

IMMIGRATION COURT
JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203

— Attached is a copy of the decision of the immigration judge relating to a Reasonable Fear Review. This is a final order. Pursuant to 8 C.F.R. § 1208.31(g)(1), no administrative appeal is available. However, you may file a petition for review within 30 days with the appropriate Circuit Court of Appeals to appeal this decision pursuant to 8 U.S.C. § 1252; INA §242.

— Attached is a copy of the decision of the immigration judge relating to a Credible Fear Review. This is a final order. No appeal is available.

☒ Other: IS Order

KT
COURT CLERK
IMMIGRATION COURT

FF

cc: RUSHER, MARNA
JFK BLDG, ROOM 425
BOSTON, MA, 02203

F

U.S. Department of Justice
Executive Office for Immigration Review
Board of Immigration Appeals

OMB# 1125-0002

Notice of Appeal from a Decision of an
Immigration Judge

1. List Name(s) and "A" Number(s) of all Respondent(s)/Applicant(s):
Santos Marleny Vega - Del Roquel A# 208-294-278

For Official Use Only

! WARNING: Names and "A" Numbers of everyone appealing the Immigration Judge's decision must be written in item #1. The names and "A" numbers listed will be the only ones considered to be the subjects of the appeal.

2. I am ☒ the Respondent/Applicant ☐ DHS-ICE (Mark only one box.)

3. I am ☐ DETAINED ☒ NOT DETAINED (Mark only one box.)

4. My last hearing was at March 15, 2018 (Location, City, State)

5. What decision are you appealing?

Mark only one box below. If you want to appeal more than one decision, you must use more than one Notice of Appeal (Form EOIR-26).

☒ I am filing an appeal from the Immigration Judge's decision *in merits proceedings* (example: removal, deportation, exclusion, asylum, etc.) dated 03/19/2018

☐ I am filing an appeal from the Immigration Judge's decision *in bond proceedings* dated _____ (For DHS use only: Did DHS invoke the automatic stay provision before the Immigration Court? ☐ Yes ☐ No.)

☐ I am filing an appeal from the Immigration Judge's decision *denying a motion to reopen or a motion to reconsider* dated _____

(Please attach a copy of the Immigration Judge's decision that you are appealing.)

Form EOIR-26
Revised Oct. 2016

6. State in detail the reason(s) for this appeal. Please refer to the General Instructions at item F for further guidance. You are not limited to the space provided below; use more sheets of paper if necessary. Write your name(s) and "A" number(s) on every sheet.

The Immigration Judge erred in failing to find that the Respondent did not fear persecution on account of a statutory grounds.

(Attach additional sheets if necessary)

! WARNING: You must clearly explain the specific facts and law on which you base your appeal of the Immigration Judge's decision. The Board may summarily dismiss your appeal if it cannot tell from this Notice of Appeal or any statements attached to this Notice of Appeal why you are appealing.

7. Do you desire oral argument before the Board of Immigration Appeals? ☐ Yes ☒ No
8. Do you intend to file a separate written brief or statement after filing this Notice of Appeal? ☒ Yes ☐ No

! WARNING: If you mark "Yes" in item #7, you should also include in your statement above why you believe your case warrants review by a three-member panel. The Board ordinarily will not grant a request for oral argument unless you also file a brief.

If you mark "Yes" in item #8, you will be expected to file a written brief or statement after you receive a briefing schedule from the Board. The Board may summarily dismiss your appeal if you do not file a brief or statement within the time set in the briefing schedule.

9.



X

[Handwritten Signature]

Signature of Person Appealing
(or attorney or representative)

04/10/2018

Date

Form EOIR-26
Revised Oct. 2016

10.

Mailing Address of Respondent(s)/Applicant(s)
Santos Marleny Vega-Del Roquel
(Name)
112 1/2 Prospect Street
(Street Address)
(Apartment or Room Number)
Waltham, MA
(City, State, Zip Code)
(Telephone Number)

11.

Mailing Address of Attorney or Representative for the Respondent(s)/Applicant(s)
Stephen A. Pegnam
(Name)
145 Essex Street
(Street Address)
(Suite or Room Number)
Lawrence, MA
(City, State, Zip Code)
9787942331
(Telephone Number)

NOTE: You must notify the Board within five (5) working days if you move to a new address or change your telephone number. You must use the Change of Address Form/Board of Immigration Appeals (Form EOIR-33/BIA).

NOTE: If an attorney or representative signs this appeal for you, he or she must file *with this appeal* a Notice of Entry of Appearance as Attorney or Representative Before the Board of Immigration Appeals (Form EOIR-27).

12.

PROOF OF SERVICE (You Must Complete This)

I Stephen A. Pegnam mailed or delivered a copy of this Notice of Appeal
 (Name)
 on 04/09/2018 to Office of Chief Counsel
 (Date) (Opposing Party)
 at 15 New Sudbury St. Rm. 425 Boston, MA 02203
 (Number and Street, City, State, Zip Code)



X

Signature

NOTE: If you are the Respondent or Applicant, the "Opposing Party" is the Assistant Chief Counsel of DHS - ICE.

WARNING: If you do not complete this section properly, your appeal will be rejected or dismissed.

WARNING: If you do not attach the fee or a completed Fee Waiver Request (Form EOIR-26A) to this appeal, your appeal may be rejected or dismissed.

HAVE YOU?

- ☒ Read all of the General Instructions
- ☒ Provided all of the requested information
- ☒ Completed this form in English
- ☒ Provided a certified English translation for all non-English attachments
- ☒ Signed the form

- ☒ Served a copy of this form and all attachments on the opposing party
- ☒ Completed and signed the Proof of Service
- ☒ Attached the required fee or Fee Waiver Request
- ☒ If represented by attorney or representative, attach a completed and signed EOIR-27

U.S. Department of Justice
Executive Office for Immigration Review
Board of Immigration Appeals

OMB#1125-0005

Notice of Entry of Appearance as Attorney or
Representative Before the Board of Immigration Appeals

(Type or Print) NAME AND ADDRESS OF REPRESENTED PARTY			ALIEN ("A") NUMBER (Provide A- number of the party represented or the visa beneficiary in this case.) 208-294-278
Santos Marleny	Vega-Del Roquel		USCIS Visa Appeal (Provide beneficiary name) Fine (Provide fine number) Disciplinary case (Provide docket number)
(First)	(Middle Initial)	(Last)	
112 1/2 PROSPECT STREET			
(Number and Street)			
WALTHAM			USCIS Visa Appeal (Provide beneficiary name) Fine (Provide fine number) Disciplinary case (Provide docket number)
MA			
02453			
(City) (State) (Zip Code)			

Attorney or Representative (please check one of the following):

☒ I am an attorney eligible to practice law in, and a member in good standing of, the bar of the highest court(s) of the following states(s), possession(s), territory(ies), commonwealth(s), or the District of Columbia (use additional space on reverse side if necessary) and I am not subject to any order disbaring, suspending, enjoining, restraining or otherwise restricting me in the practice of law in any jurisdiction (if subject to such an order, do not check this box and explain on reverse).

Full Name of Court SJC of Massachusetts Bar Number (if applicable) 659290

☐ I am a representative accredited to appear before the Executive Office for Immigration Review as defined in 8 C.F.R. § 1292.1(a)(4) with the following recognized organization:

☐ I am a law student or law graduate of an accredited U.S. law school as defined in 8 C.F.R. § 1292.1(a)(2).

☐ I am a reputable individual as defined in 8 C.F.R. § 1292.1(a)(3).

☐ I am an accredited foreign government official, as defined in 8 C.F.R. § 1291.1(a)(5), from _____ (country).

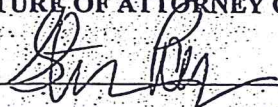
☐ I am a person who was authorized to practice on December 23, 1952, under 8 C.F.R. § 1292.1(b).

Attorney or Representative (please check one of the following):

☒ I hereby enter my appearance as attorney or representative for, and at the request of, the party named above.

☐ EOIR has ordered the provision of a Qualified Representative for the party named above and I appear in that capacity.

I have read and understand the statements provided on the reverse side of this form that set forth the regulations and conditions governing appearances and representations before the Board of Immigration Appeals. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

SIGNATURE OF ATTORNEY OR REPRESENTATIVE	EOIR ID NUMBER	DATE
X 	ZS428657	04/10/2018

NAME OF ATTORNEY OR REPRESENTATIVE, ADDRESS, FAX & PHONE NUMBERS, & EMAIL ADDRESS

Name: Stephen A Pegnam

(First) (Middle Initial) (Last)

Address: 145 Essex Street

(Number and Street)

Lawrence MA 01840

(City) (State) (Zip Code)

Telephone: 978-794-2331 Facsimile: 978-794-2441 Email: lagana.law@gmail.com

☐ Check here if new address

Indicate Type of Appearance:

☐ Primary Attorney/Representative ☒ Non-Primary Attorney/Representative

I am providing pro bono representation. Check one: ☐ yes ☒ no

Proof of Service

I (Name) Stephen A. Pegnam, Esq. mailed or delivered a copy of this Form EOIR-27 on (Date) 04/10/2018

to the ☐ DHS (U.S. Immigration and Customs Enforcement – ICE) at _____

☐ DHS (U.S. Citizenship and Immigration Services – USCIS) at _____

☐ EOIR Disciplinary Counsel at _____

X 

Signature of Person Serving

APPEARANCES - An appearance for each represented party shall be filed on a separate Form EOIR-27 by the attorney or representative appearing in each appeal or motion to reopen or motion to reconsider before the Board of Immigration Appeals (see 8 C.F.R. § 1003.38(g)), even though the attorney or representative may have appeared in the case before the Immigration Judge or the U.S. Citizenship and Immigration Services. If information is omitted from the Form EOIR-27 or it is not properly completed, the appearance may not be recognized and the accompanying filing may be rejected. When an appearance is made by a person acting in a representative capacity, his/her personal appearance or signature constitutes a representation that, under the provisions in 8 C.F.R. part 1003, he/she is authorized and qualified to represent individuals and will comply with the EOIR Rules of Professional Conduct in 8 C.F.R. § 1003.102. Thereafter, substitution or withdrawal may be permitted upon approval by the Board of a request of the attorney or representative of record in accordance with *Matter of Rosales*, 19 I&N Dec. 655 (1988). Please note that appearances for limited purposes are not permitted. See *Matter of Velasquez*, 19 I&N Dec. 377, 384 (BIA 1986). Attorneys and Accredited Representatives (with full accreditation) must first update their address in eRegistry before filing a Form EOIR-27 that reflects a new address.

FREEDOM OF INFORMATION ACT - This form may not be used to request records under the Freedom of Information Act or the Privacy Act. The manner of requesting such records is in 28 C.F.R. §§ 16.1-16.11 and appendices. For further information about requesting records from EOIR under the Freedom of Information Act, see How to File a Freedom of Information Act (FOIA) Request With the Executive Office for Immigration Review, available on EOIR's website at <http://www.justice.gov/eoir>.

PRIVACY ACT NOTICE - The information requested on this form is authorized by 8 U.S.C. § 1362 and 8 C.F.R. § 1003.3 in order to enter an appearance to represent a party before the Board of Immigration Appeals. The information you provide is mandatory and required to enter an appearance. Failure to provide the requested information will result in an inability to represent a party or receive notice of actions in a proceeding. EOIR may share this information with others in accordance with approved routine uses described in EOIR's system of records notice, EOIR-001, Records and Management Information System, 69 Fed. Reg. 26,179 (May 11, 2004), or its successors and EOIR-003, Practitioner Complaint-Disciplinary Files, 64 Fed. Reg. 49237 (September 1999).

CASES BEFORE EOIR - Automated information about cases before EOIR is available by calling (800) 898-7180 or (240) 314-1500.

ADDITIONAL INFORMATION:

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time to complete this form is six (6) minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Executive Office for Immigration Review, Office of the General Counsel, 5107 Leesburg Pike, Suite 2600, Falls Church, Virginia 22041.

ROQUEL DEL VEGA, Santos Marleny

A# 208-294-278


Proof of Service

I, Stephen A. Pegnam, served a true copy of the following documents:

1. EOIR-27, Notice of Entry or Appearance as Attorney;
2. Notice of Appeal from a Decision of an Immigration Judge;
3. Decision of Immigration Judge dated March 19, 2018.

To the Department of Homeland Security – ICE at the following address via First Class Mail:

DHS/ICE Office of Chief Counsel – Boston
JFK Federal Building
15 New Sudbury Street Room 425
Boston, MA 02203



Stephen A. Pegnam, Esq.

Date: 4/10/18

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203

Law Office of Stephen A. Lagana
LAGANA, STEPHEN A
145 Essex St.
Lawrence, MA 01840

In the matter of File A 208-294-278 DATE: Mar 19, 2018
VEGA-DEL ROQUEL, SANTOS MARLENY

Unable to forward - No address provided.

☒ Attached is a copy of the decision of the Immigration Judge. This decision is final unless an appeal is filed with the Board of Immigration Appeals within 30 calendar days of the date of the mailing of this written decision. See the enclosed forms and instructions for properly preparing your appeal. Your notice of appeal, attached documents, and fee or fee waiver request must be mailed to:
Board of Immigration Appeals
Office of the Clerk
5107 Leesburg Pike, Suite 2000
Falls Church, VA 22041

— Attached is a copy of the decision of the immigration judge as the result of your Failure to Appear at your scheduled deportation or removal hearing. This decision is final unless a Motion to Reopen is filed in accordance with Section 242b(c)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1252b(c)(3) in deportation proceedings or section 240(b)(5)(C), 8 U.S.C. § 1229a(b)(5)(C) in removal proceedings. If you file a motion to reopen, your motion must be filed with this court:

IMMIGRATION COURT
JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203

— Attached is a copy of the decision of the immigration judge relating to a Reasonable Fear Review. This is a final order. Pursuant to 8 C.F.R. § 1208.31(g)(1), no administrative appeal is available. However, you may file a petition for review within 30 days with the appropriate Circuit Court of Appeals to appeal this decision pursuant to 8 U.S.C. § 1252; INA §242.

— Attached is a copy of the decision of the immigration judge relating to a Credible Fear Review. This is a final order. No appeal is available.

☒ Other: IS Order

KT
COURT CLERK
IMMIGRATION COURT

FF

cc: RUSHER, MARNA
JFK BLDG, ROOM 425
BOSTON, MA, 02203

G

LAW OFFICES OF STEPHEN A. LAGANA

Attorneys & Counselors at Law

145 Essex Street, Lawrence, Massachusetts 01840

Telephone 978-794-2331 Facsimile 978-794-2441

July 31, 2019

JFK Federal Building
Boston Immigration Court
Government Center
15 New Sudbury Street, Room 320
Boston, MA 02203

Re: **Karla Roquel-Vega**
Rider File No.: 208-294-279
Diego Roquel-Vega
Rider File No.: A 208-294-280

Motion to Reopen

Dear Sir/Madam:

In the above reference matter, please find enclosed the following documents:

1. Respondent's **Motion to Reopen**;
2. **Supporting Documentation with Index**;
3. **Proposed Order**;
4. Proof of service.

If you have any questions, please do not hesitate to contact this office at (978) 794-2331.

As always, thank you for your prompt attention in this matter.

Very truly yours,



Albert J Saganich III
Law Offices of Stephen A. Lagana
145 Essex Street
Lawrence, MA 01840

STEPHEN A. LAGANA.
LAW OFFICES OF STEPHEN A. LAGANA
145 ESSEX STREET
LAWRENCE, MA 01840
(978) 794-2331

NON- DETAINED

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE IMMIGRATION JUDGE
BOSTON, MA, 02203

In the Matter of:)	In Removal Proceedings
)	
)	
Roquel-Vega,)	File No: A 208-294-279
Karla (Rider))	
)	
Roquel-Vega,)	
Diego (Rider))	File No: A 208-294-280
)	
Motion to Reopen)	
)	

RESPONDENT'S MOTION TO REOPEN

STEPHEN A. LAGANA.
LAW OFFICES OF STEPHEN A. LAGANA
145 ESSEX STREET
LAWRENCE, MA 01840
(978) 794-2331

NON-DETAINED

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE IMMIGRATION JUDGE
BOSTON, MA, 02203

In the Matter of:)	In Removal Proceedings
)	
Roquel-Vega,)	File No: A 208-294-279
Karla (Rider))	
)	
Roquel-Vega,)	
Diego (Rider))	File No: A 208-294-280
)	
Motion to Reopen)	
)	

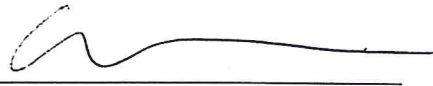
RESPONDENT'S MOTION TO REOPEN

The Respondent's, Rider Karla Roquel-Vega, and Rider Diego Roquel-Vega, both citizen's and nationals of Guatemala, entered the United states at or near Laredo Texas on June 3, 2015. All where placed into proceedings by separate Notice(s) to Appear, each of which was issued on June 3, 2015. Respondent's relocated to Massachusetts and were ordered to appear before the non-detained unit of ICE, at 10 New England Executive Park, Burlington, MA 01803, on July 7, 2015.

Later, Respondent's each received a Notice of Hearing scheduling a Master Hearing on January 26, 2016, as well as a Merits hearing March 15, 2018. Respondent's attended these

hearings, however, due to an error of the Clerk's Office, only the lead respondent's name was included on the Clerk's Office IJ order cover sheet.

All Respondents are aware they are included in the Immigration Judge's order, decided on March 15, 2018, however, the clerk's office cover sheet failed to include the two rider respondents. The failure to include the rider's denied the rider's the ability to file a BIA appeal. *See Decision of Immigration Judge cover sheet and Appeal Receipt of Lead Respondent.* Riders are seeking a reissuing of the order of the Immigration Judge in this matter.



Stephen A. Lagana, Esq.
Law Offices of Stephen A. Lagana
145 Essex Street
Lawrence, MA 01840
EOIR ID# CG354929



Date:

STEPHEN A. LAGANA, ESQ.
LAW OFFICES OF STEPHEN A. LAGANA
145 ESSEX STREET
LAWRENCE, MA 01840

NON-DETAINED

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE IMMIGRATION JUDGE
BOSTON, MA, 02203

In the Matter of:)	In Removal Proceedings
)	
Roquel-Vega,)	File No: A 208-294-279
Karla)	
(Rider))	
)	
Roquel-Vega,)	
Diego)	File No: A 208-294-280
(Rider))	
)	
Motion to Reopen)	
)	

INDEX OF DOCUMENTS

TABS

DOCUMENTS

A

Decision of Immigration Judge Cover Sheet

B

Lead Respondent's Notice of Appeal dated April 12, 2018

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203

Law Office of Stephen A. Lagana
LAGANA, STEPHEN A
145 Essex St.
Lawrence, MA 01840

In the matter of File A 208-294-278 DATE: Mar 19, 2018
VEGA-DEL ROQUEL, SANTOS MARLENY

Unable to forward - No address provided.

☒ Attached is a copy of the decision of the Immigration Judge. This decision is final unless an appeal is filed with the Board of Immigration Appeals within 30 calendar days of the date of the mailing of this written decision. See the enclosed forms and instructions for properly preparing your appeal. Your notice of appeal, attached documents, and fee or fee waiver request must be mailed to:
Board of Immigration Appeals
Office of the Clerk
5107 Leesburg Pike, Suite 2000
Falls Church, VA 22041

Attached is a copy of the decision of the immigration judge as the result of your Failure to Appear at your scheduled deportation or removal hearing. This decision is final unless a Motion to Reopen is filed in accordance with Section 242b(c)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1252b(c)(3) in deportation proceedings or section 240(b)(5)(C), 8 U.S.C. § 1229a(b)(5)(C) in removal proceedings. If you file a motion to reopen, your motion must be filed with this court:

IMMIGRATION COURT
JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203

Attached is a copy of the decision of the immigration judge relating to a Reasonable Fear Review. This is a final order. Pursuant to 8 C.F.R. § 1208.31(g)(1), no administrative appeal is available. However, you may file a petition for review within 30 days with the appropriate Circuit Court of Appeals to appeal this decision pursuant to 8 U.S.C. § 1252; INA §242.

Attached is a copy of the decision of the immigration judge relating to a Credible Fear Review. This is a final order. No appeal is available.

☒ Other: IS Order

KT
COURT CLERK
IMMIGRATION COURT

cc: RUSHER, MARNA
JFK BLDG, ROOM 425
BOSTON, MA, 02203

FF

STEPHEN A. LAGANA, ESQ.
LAW OFFICES OF STEPHEN A. LAGANA
145 ESSEX STREET
LAWRENCE, MA 01840

NON-DETAINED

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE IMMIGRATION JUDGE
BOSTON, MA, 02203

In the Matter of:)	In Removal Proceedings
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UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203

Law Office of Stephen A. Lagana
LAGANA, STEPHEN A
145 Essex St.
Lawrence, MA 01840

In the matter of File A 208-294-278 DATE: Mar 19, 2018
VEGA-DEL ROQUEL, SANTOS MARLENY

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☒ Attached is a copy of the decision of the Immigration Judge. This decision is final unless an appeal is filed with the Board of Immigration Appeals within 30 calendar days of the date of the mailing of this written decision. See the enclosed forms and instructions for properly preparing your appeal. Your notice of appeal, attached documents, and fee or fee waiver request must be mailed to:

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IMMIGRATION COURT
JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203

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☒ Other: IS Order

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COURT CLERK
IMMIGRATION COURT

cc: RUSHER, MARNA
JFK BLDG, ROOM 425
BOSTON, MA, 02203

FF



U.S. Department of Justice

Executive Office for Immigration Review

Board of Immigration Appeals
Office of the Clerk5117 Leesburg Pike, Suite 2000
Falls Church, Virginia 22041Pegnam, Stephen Arthur
Law Offices of Stephen A. Lagan
145 Essex Street
Lawrence, MA 01840DHS/OE Office of Chief Counsel BOS
P.O. Box 8728
Boston, MA 02114

Name: PEGNAM, STEPHEN ARTHUR

1-201-224-9728

Type of Proceeding: Removal

Date of this notice: 4/12/2018

Type of Appeal: Case Appeal

Filed by: Alien

FILED RECEIPT FOR APPEAL

The Board of Immigration Appeals acknowledges receipt of your appeal and fee or fee waiver request (where applicable) on 4/17/2018 for the above-referenced case.

WARNING: If you leave the United States after filing this appeal but before the Board issues a decision your appeal will be considered withdrawn and the Immigration Judge's decision will become final as if no appeal had been taken (unless you are an "arriving alien" as defined in the regulations under 8 C.F.R. § 100.11(c)).**WARNING:** If you have been granted voluntary departure by the Immigration Judge, you must submit sufficient proof of having posted the voluntary departure bond set by the Immigration Judge to the Board of Immigration Appeals. Your submission of proof must be provided to the Board within 60 days of filing this appeal. If you do not timely submit proof to the Board that the voluntary departure bond has been posted, the Board cannot reinstate the period of voluntary departure. 8 C.F.R. § 1240.2(c)(3)(ii).PLEASE NOTE:

In all future correspondence or filings with the Board, please include the name and alien registration number, "A" number of the case (as indicated above), as well as all of the names and "A" numbers of every family member who is included in this appeal.

If you have any questions about how to file something with the Board, you should review the Board's Practice Manual at www.justice.gov/eoir.

Proof of service of the opposing party at the address above is required for ALL submissions to the Board of Immigration Appeals including correspondence, forms, and motions, as well as other documents. All copies of the Respondent's application, the "Opposing Party" is the District Counsel for the DHS or the Director of DHS/C at the address shown above. Your certificate of service must clearly identify the document sent to the opposing party, the opposing party's name and address, and the date it was sent to them. Any submission filed with the Board without a certificate of service to the opposing party will be rejected.

DeMartino

Usenteam East

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
BOSTON, MA, 02203**

**In the Matter of: Rider: Karla Roquel-Vega
Rider: Diego Roquel-Vega**

File No.: A 208-294-279

File No.: A 208-294-280

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of the Respondents's, **Karla Roquel-Vega**, and **Diego Roquel-Vega**, Motion to Reopen, is HEREBY ORDERED that the motion be:

[] GRANTED [] DENIED because:

- ☐ DHS does not oppose the motion.
- ☐ The respondent does not oppose the motion.
- ☐ A response to the motion has not been filed with the court.
- ☐ Good cause has been established for the motion.
- ☐ The court agrees with the reasons stated in the opposition to the motion.
- ☐ The motion is untimely per _____.
- ☐ Other:

Deadlines:

- ☐ The application(s) for relief must be filed by _____.
- ☐ The respondent must comply with DHS biometrics instructions by _____.

Date

Immigration Judge

Certificate of Service

This document was served by: ☐ Mail ☐ Personal Service

To: ☐ Alien ☐ Alien c/o Custodial Officer ☐ Alien's Atty/Rep ☐ DHS

Date: _____

By: Court Staff _____

Re: Rider: Karla Roquel-Vega
Rider: Diego Roquel-Vega

File No.: A 208-294-279
File No.: A 208-294-280

PROOF OF SERVICE

On July 31, 2019, I, Stephen A. Lagana served a copy of the following documents:

1. Respondent's Motion to Reopen;
2. Supporting Documentation with Index;
3. Proposed Order;
4. Proof of service.

To the Department of Homeland Security – ICE at the following address:

JFK Federal Building
15 New Sudbury Street, Room 425
Boston, MA, 02203



Stephen A. Lagana, Esq.
Law Offices of Stephen A. Lagana
145 Essex Street
Lawrence, MA 01840

7/31/2019

Date:

H

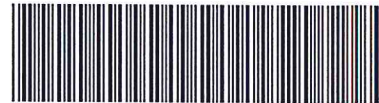
May 22, 2020

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
P.O. Box 82521
Lincoln, NE 68501-2521



U.S. Citizenship
and Immigration
Services

STEPHEN A LAGANA
LAW OFFICE OF STEPHEN A LAGANA
145 ESSEX STREET
LAWRENCE, MA 01840



LIN2090227578



A208-294-279

RE: KARLA MARLENY ROQUEL VEGA
I-765, Application for Employment Authorization

DECISION

This notice refers to your Form I-765, Application for Employment Authorization, filed on February 21, 2020, in which you are requesting employment authorization pursuant to Title 8, Code of Federal Regulations (8 CFR) 274a.12 (c)(8). Upon consideration, it is ordered that your application be denied for the following reason(s):

8 CFR § 274a.12(c)(8) allows for granting employment authorization to:

An alien who has filed a complete application for asylum or withholding of deportation or removal pursuant to 8 CFR part 208, whose application:

(i) Has not been decided, and who is eligible to apply for employment authorization under § 208.7 of this chapter because the 150-day period set forth in that section has expired. Employment authorization may be granted according to the provision of § 208.7 of this chapter in increments to be determined by ... [USCIS] and shall expire on a specified date; or

(ii) Has been recommended for approval, but who has not yet received a grant of asylum or withholding or deportation or removal;

8 CFR § 208.7(a) states, in pertinent part:

(1) . . . an applicant for asylum . . . shall be eligible . . . to submit a Form I-765, Application for Employment Authorization . . . The application shall be submitted no earlier than 150 days after the date on which a complete asylum application . . . has been received . . . no employment authorization shall be issued to an asylum applicant prior to the expiration of the 180-day period following the filing of the asylum application filed on or after April 1, 1997.

(2) . . . any delay requested or caused by the applicant shall not be counted as part of these time periods . . .

A review of the record shows that you filed Form I-589, Application for Asylum and for Withholding of Removal, on February 10, 2016 with the Immigration Courts. Your application was denied on

March 15, 2018, and you filed an appeal with the BIA on April 11, 2018 that is currently pending. However, the 180 Day Asylum EAD Clock stopped and it has not been restarted as of the date of this letter.

You are not eligible for employment authorization under 8 CFR § 274a.12(c)(8) because less than the required 180 days have elapsed.

For more information about the Asylum EAD Clock, visit uscis.gov/asylum/ABT.

USCIS is not required to approve applications or petitions where eligibility has not been demonstrated merely because of prior approvals which may have been erroneous. Matter of Khan, 14 I&N Dec 397 (BIA 1973), by extension; Matter of M-, 4 I&N Dec 532 (BIA 1951; BIA, A.G. 1952).

For this reason, your application must be and hereby is denied.

NOTICE: USCIS regulations do not provide for an appeal to this decision. However, you may file a motion to reopen or reconsider an adverse decision. A motion must be filed using Form I-290B, Notice of Appeal or Motion. Form I-290B must be filed within 30 days from the date of this notice (33 days if this notice was received by mail) with the appropriate filing fee and other documentation in support of the motion. Do not send the completed Form I-290B directly to the Nebraska Service Center. For more information about filing motions, as well as fee required and filing locations, and to download Form I-290B, please visit the USCIS website at www.uscis.gov. You may also contact the USCIS Contact Center at 800-375-5283.

However, this denial is without prejudice to the filing of an Application for Employment Authorization under any category for which you may qualify.

Sincerely,



L. Miller
Director
Officer: 5122

